

MEMORANDUM RE: "SERIOUS INJURY"

Each of the instructions listed below has an element relating to "serious injury." Please insert the following footnote in the appropriate place in each instruction. To do so you may wish to make several copies of this sheet and cut and paste the footnote in each instruction.

If there is evidence as to injuries which could not conceivably be considered anything but serious, the trial judge may instruct the jury as follows: "*Describe injury* would be a serious injury." S. v. Davis, 33 N.C. App. 262 (1977); S. v. Springs, 33 N.C. App. 61 (1977).

N.C.P.I.--Crim.

- 208.08 Malicious Throwing Of Corrosive Acid Or Alkali. G.S. § 14-30.1.  
(Footnote 1)
- 208.10 Assault With A Deadly Weapon With Intent To Kill. G.S. § 14-32(a).  
(Footnote 4)
- 208.15 Assault With A Deadly Weapon Inflicting Serious Injury. G.S.  
§ 14-32(b). (Footnote 4)
- 208.55 Assault, Attempting To Inflict Serious Injury. G.S. § 14-33(b)(1).  
(Footnote 3)
- 208.60 Assault, Inflicting Serious Injury. G.S. § 14-33(b)(1).  
(Footnote 3)
- 210.11 Kidnapping (To Commit Felony or Serious Injury). G.S. § 14-39.  
(Footnote 5)
- 210.25 First Degree Kidnapping (To Commit Felony or Serious Injury). G.S.  
§ 14-39. (Footnote 4)
- 210.35 Second Degree Kidnapping (To Commit Felony or Serious Injury). G.S.  
§ 14-39. (Footnote 4)
- 236A.10 Feloniously Engaging In A Riot Where The Defendant Has Actually  
Participated In The Violence--More Than \$1,500 Property Damage Or  
Serious Injury. G.S. § 14-288.2(c)(1). (Footnote 4)

